

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Avesta Patentbyrå
Box 99
SE-775 26 Krylbo

Date of mailing
(day/month/year)

07-07-2005

Applicant's or agent's file reference

403 Ort

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/SE2005/000246

International filing date (day/month/year)

23.02.2005

Priority date (day/month/year)

27.02.2004

International Patent Classification (IPC) or both national classification and IPC

B21D 5/08

Applicant

Ortic AB et al

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☒ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further opinions, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/SE

Patent- och registreringsverket

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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/SE2005/000246

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:

- ☐ the international application in the language in which it was filed
- ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
- ☐ table(s) related to the sequence listing

b. format of material

- ☐ on paper
- ☐ in electronic form

c. time of filing/furnishing

- ☐ contained in the international application as filed.
- ☐ filed together with the international application in electronic form.
- ☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

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Box No. IV Lack of unity of invention

1. ☒ In response to the invitation (Form PCT/IPEA/206) to pay additional fees the applicant has, within the applicable time limit:
- ☐ paid additional fees
 - ☐ paid additional fees under protest and, where applicable, the protest fee
 - ☐ paid additional fees under protest but the applicable protest fee was not paid
 - ☒ not paid additional fees
2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rule 13.1, 13.2 and 13.3 is

- ☐ complied with
- ☒ not Complied with for the following reasons:

The following separate inventions were identified:

I: Claims 1-8 are directed to a method for forming profiles in a production line where the cross-section of the profiles varies along the length of the metal strip. Edge cutters and roll-forming units can be individually displaced sideways relative to the metal strip. The edge cutters and the roll-forming units are individually controlled to follow the lines or extent of the side edges after forming a corner of the strip closer to the edge of the completed strip.

II: Claims 9-12 are directed to a production line for continuous forming of a profile with varying cross-section. After the roll-forming section a bending station is placed having rollers arranged in order to produce a thinner profile which can be bent or twisted.

The present application has been considered to contain two inventions which are not linked such that they form a single general inventive concept, as required by Rule 13 PCT for the following reasons:

.../...

4. Consequently, this opinion has been established in respect of the following parts of the international application:
- ☐ all parts
 - ☒ the parts relating to claims Nos. 1 - 8

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.
Continuation of: IV.

Claims 1-8 are intended to solve the problem of performing economic favourable production of profiles with variable shape according to claim 1.

Claims 9-12 are intended to solve the problem of manufacturing bent profiles according to claim 9.

Since the booth problems and solutions differs, no unifying inventive concept is present and consequently, the inventions are not linked such that they form a single general inventive concept, as required by Rule 13 PCT.

Thus, the application lacks unity of invention.

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-8	YES
	Claims		NO
Inventive step (IS)	Claims	1-8	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-8	YES
	Claims		NO

2. Citations and explanations:

Cited documents:

1. AU 199859441 B2
2. WO 0243886 A1
3. EP 1245302 A1
4. WO 03041886 A1

The documents cited in the International Search Report represent background art.

The invention relates to a method for forming profiles in a production line where the cross-section of the profiles varies along the length of the metal strip. The object of the invention is to provide economic manufacture of sheet metal profiles.

The invention defined in claims 1-8 is not disclosed by any of these documents.

None of the cited documents gives any indication towards the claimed method where the edge cutters and the roll-forming units are individually controlled to follow the lines or extent of the side edges after forming a corner of the strip closer to the edge of the completed strip. No relevant combination of the cited documents would lead a person skilled in the art to the invention defined in the claims.

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.
Continuation of: BOX V

Therefore, the invention defined in claims 1-8 is novel and is considered to involve an inventive step. It is also considered to be industrially applicable.